

STATE OF INDIANA



INDIANA UTILITY REGULATORY COMMISSION
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INDIANAPOLIS, INDIANA 46204-2764

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Office: (317) 232-2701
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IN THE MATTER OF THE INVESTIGATION)
ON THE COMMISSION'S OWN MOTION)
UNDER INDIANA CODE § 8-1-2-72, INTO ANY)
AND ALL MATTERS RELATED TO THE)
COMMISSION'S MIRRORING POLICY)
ARTICULATED IN CAUSE NO. 40785 AND)
THE EFFECT OF THE FCC'S MAG ORDER)
ON SUCH POLICY, ACCESS CHARGE)
REFORM, UNIVERSAL SERVICE REFORM,)
AND HIGH COST OR UNIVERSAL SERVICE)
FUNDING MECHANISMS RELATIVE TO)
TELEPHONE AND TELECOMMUNICATIONS)
SERVICES WITHIN THE STATE OF INDIANA)
RESPONDENTS:)
ALL TELECOMMUNICATION SERVICE)
PROVIDERS, INCLUDING INTRASTATE)
WIRELESS CARRIERS, IN THE STATE)
OF INDIANA.)

CAUSE NO. 42144 S-1

FILED

NOV 17 2004

INDIANA UTILITY
REGULATORY COMMISSION

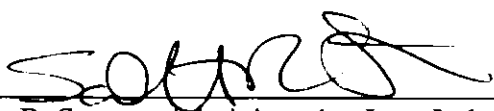
You are hereby notified that on this date the Indiana Utility Regulatory Commission ("Commission") has caused the following entry to be made:

On November 12, 2004 pursuant to 170 I.A.C. 1-1.1-4, Indiana Bell Telephone Company, Incorporated ("SBC Indiana") filed a *Motion for Protection of Confidential and Proprietary Information* ("Motion") in this Cause. In its Motion, the Petitioner indicates that the information contained in Confidential Exhibit JES-1 is confidential, proprietary, competitively sensitive and/or a trade secret ("Confidential Information") as that term is defined under Indiana Code 24-2-3-2. Information containing trade secrets is excepted from public disclosure under Indiana Code 5-14-3-4(a)(4). In support of its Motion, the Petitioner includes the sworn *Affidavit of James E. Stidham* ("Affidavit"). The Affidavit has been placed in the Commission's official file in this matter and is hereby incorporated by reference.

170 I.A.C. 1-1.1-4 governs the submission of confidential or privileged information to the Commission, and requires the applicant to apply for a finding by the Commission that the information is confidential. The application must be accompanied by the sworn statement or testimony of a party that describes: 1) the nature of the confidential information; 2) the reasons why the information should be treated as confidential pursuant to I.C. 8-1-2-29 and I.C. 5-14-3; and, 3) the efforts the party has made to maintain the confidentiality of the information.

The Presiding Officer, having considered Petitioner's Motion and accompanying Affidavit, finds there is sufficient basis for determination that the Confidential Information should be held as confidential by the Commission on a preliminary basis. Accordingly, Petitioner shall hand deliver to the Presiding Administrative Law Judge, in a sealed envelope clearly marked confidential, with the Cause No. noted thereon, the Confidential Information which shall be treated as confidential on a preliminary basis and excepted from public disclosure in accordance with Indiana Code 5-14-3.

IT IS SO ORDERED.



Scott R. Storms, Administrative Law Judge

Date: November 17, 2004